

# Carrying Weapons in Iowa

Joseph McEniry  
Senior Legal Counsel  
Legislative Services Agency  
November 2, 2017

# Presentation

- Major changes in HF 517 (2017)
- Categories of weapons
- Permit to carry weapons
- Carrying weapons
- Permit to acquire pistols or revolvers
- Preemption
- Weapons free zone
- Fraudulent purchase of firearms or ammunition

# Weapons

- Many types of weapons addressed in the Iowa Code
  - Dangerous weapons, offensive weapons, firearms, pistols or revolvers, and knives
  - Dangerous weapons are legal weapons in many instances but a dangerous weapon is also an element in a number of criminal offenses
  - Offensive weapons are more military style weapons and are generally illegal to possess
    - Class “D” felony to possess
  - Why distinction between dangerous weapons, offensive weapons, firearms, pistols or revolvers, and knives
    - Distinctions lead to complexity in the law

# Weapons

- Distinctions are relevant because regulations depend upon the person possessing the weapon, the weapon itself, and where the weapon is possessed
  - Age/occupation/criminal history
  - Home or place of business
  - Unincorporated areas
  - Cities
  - Motor vehicles
  - Private businesses
  - Government buildings/courthouses

# Dangerous Weapons

- Dangerous Weapons, Iowa Code § 702.7
  - Firearm
  - Knife having a blade exceeding five inches in length
  - Dagger, razor, stiletto, switchblade knife
  - Stun gun
  - Any device designed for use in inflicting death or serious injury
  - Anything actually used to inflict death or serious injury with the intention to inflict death or serious injury
  - A bow and arrow when possessed and lawfully used is **not** a dangerous weapon

# Offensive weapons

- Offensive weapons

- All offensive weapons are dangerous weapons not all dangerous weapons are offensive weapons
- A person is prohibited from possessing the following offensive weapons under Iowa Code § 724.1:
  - A machine gun
  - Any weapon with the bore of more than six-tenths of an inch in diameter, other than a shotgun or muzzle loading rifle, cannon, pistol, revolver or musket, but not including antique weapons

# Offensive weapons

- A bomb, grenade, mine, or poison gas
- A rocket with more than 4 ounces of propellant charge
- A missile with more than  $\frac{1}{4}$  ounce of propellant charge
- A ballistic knife. A ballistic knife is a knife with a detachable blade which is propelled by a spring-operated mechanism, elastic material, or compressed gas.
- Any part or combination of parts either designed or intended to be used to convert any device into an offensive weapon—bump stock?
  - Exception magazines or other parts, ammunition, or ammunition components used in common with lawful sporting firearms or parts including but not limited to barrels suitable for refitting to sporting firearms.

# Offensive weapons

- Any bullet or projectile containing any explosive mixture or chemical compound capable of exploding or detonating prior to or upon impact
- Any shotshell or cartridge which is designed to throw or project a flame or fireball or to simulate a flamethrower.



# Offensive weapons

- An offensive weapon does not include:
  - An antique firearm, Iowa Code § 724.25(2)
    - A firearm manufactured in or before 1898 or a replica which is not designed to fire or a replica where the ammunition is not readily available.
  - A collector's item
    - Collector's item is any firearm other than a machine gun that by reason of its date of manufacture, value, design, and other characteristics is not likely to be used as a weapon
    - Designation requires special interest by collectors plus other factors including manufactured more than 50 years ago, certification by curator of a museum, or novelty.

# Offensive weapon

- Any device which is not designed or redesigned for use as a weapon
- Any device which is designed for use as a signaling pyrotechnic
- Any firearm which is unserviceable by reason of being unable to discharge a shot and is incapable of being readily restored to firing condition

# Offensive weapons

- Recent law changes relating to offensive weapons
  - Firearm suppressors
  - A short-barreled rifle or short-barreled shotgun
    - Federal law applies to possession of firearm suppressors and a short barreled rifle or short-barreled shotgun.
    - Prohibited from possessing a firearm suppressor under Iowa Code § 724.1B if possessing such a weapon is in violation of federal law
    - Prohibited from possessing a short-barreled rifle or short-barreled shotgun under Iowa § 724.1C if possessing such weapons is in violation of federal law
      - » Iowa penalty allows for the seizure of a firearm suppressor or a short barreled rifle or short-barreled shotgun

# Offensive weapons

- Authority to possess offensive weapons when the duties require such possession
  - Peace officer
  - Members of the armed forces
  - A correctional officer
  - Any person lawfully engaged in the business of supplying, improving, or the invention of an offensive weapon
  - Any museum, as long as weapons are rendered permanently unfit for use

# Offensive Weapons

- A resident of the state may possess an offensive weapon which is a curio or relic solely for the use in the official functions of a historical reenactment and the offensive weapon has been rendered unfit for firing live ammunition
- All persons are prohibited from possessing a shotshell or cartridge intended to project a flame or fireball that is similar to a flamethrower

# Types of permits to carry weapons

- Professional permit to carry weapons
  - Must be at least 18 years of age
  - Issued when the person's employment reasonably justifies that person go armed (peace officers or private investigators)
  - Issuance governed by DPS for nonresidents or state employee peace officers otherwise issued by sheriff of the county of residence
    - Cancelled when employment is terminated
- Nonprofessional permit to carry weapons
  - Focus of this presentation

# Nonprofessional permit to carry weapons

- Permit basics:
  - Permit to carry weapons is a permit for the carrying of a dangerous weapon whether concealed or not concealed.
    - Iowa is not a conceal carry state
  - Background check
  - Issued by the county sheriff of the county residence at the time of the application
    - Applications for persons who are nonresidents of the state shall be made to the commissioner of public safety.
  - A permit to carry weapons shall be for period of 5 years and shall be valid throughout the state except where the possession or carrying of a firearm is prohibited by state or federal law.
  - Uniform appearance of permit to carry weapons
    - Prior law did not require uniform appearance of permit

# Nonprofessional permit to carry weapons

- Persons ineligible for permit:
  - Person under 21 years of age
  - Person addicted to alcohol
    - Does not require a conviction
    - Definition found in Iowa Admin. Code 661-91.1(724)
      - Means physiological or psychological dependence on the continued use of alcohol, or a maladaptive pattern of alcohol use leading to significant occupational, educational, familial, social, legal, or health-related problems...
  - Probable cause exists that the person is likely to use a weapon unlawfully
  - Persons subject to the provisions of Iowa Code § 724.26 (prohibitions of felons and others from possessing firearms)
  - Person previously has been convicted of any serious or aggravated misdemeanor under Code Chapter 708 (Assault) within the previous 3 years that does **not** involve the use of a firearm or explosive
  - Person prohibited by federal law from possessing, shipping, transporting, or receiving any firearm or ammunition



# Persons prohibited from possessing by federal law

- Conviction for crime punishable by term exceeding one year
  - Does not include any offense classified as a misdemeanor and punishable by a term of imprisonment of two years or less
- Fugitive
  - Outstanding arrest warrant
- Unlawful user of a controlled substance
  - Conviction within one year
  - Documented evidence of use
- Committed person/incompetent
  - Found incompetent
  - Involuntary commitment to mental institution

# Persons prohibited from possessing by federal law

- Person unlawfully in the US or who has been admitted to the US under a nonimmigrant visa
- Person has renounced citizenship
- Person receiving a dishonorable discharge from military
- Protective order issued against person
  - State laws apply
- Person convicted of misdemeanor crime of domestic violence
  - State laws apply

# State law prohibitions--firearm or offensive weapon

- A person convicted of a felony in a state or federal court
  - Includes juveniles if adjudicated delinquent of offense that would constitute a felony—not sealed
  - “Felony” under Iowa Code § 724.25(1):
    - An offense punishable in the jurisdiction where it occurred by imprisonment for term exceeding one year
    - Does not include an offense classified as a misdemeanor punishable by two years or less
    - Does include any misdemeanor punishable by more than one year if offense involved a firearm or explosive
      - Carrying weapons is an aggravated misdemeanor if offense involved a firearm or explosive

# State law prohibitions--firearm offensive weapon, ammunition

- A person subject to a protective order
- A person convicted of misdemeanor crime of domestic violence
  - “Misdemeanor crime of domestic violence” means an assault under section 708.1, subsection 2, paragraph “a” or “c”, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim
    - Prohibition does not apply to the possession of a firearm, offensive weapon, or ammunition issued by a state department or agency or political subdivision for use in the performance of the official duties of the person who is the subject of a protective order.

# State law prohibitions--firearm offensive weapon, ammunition

- Unless otherwise forfeited, a court that issues a protective order or enters a judgment of conviction of misdemeanor crime of domestic violence and finds the subject of the order or conviction is in possession of a firearm, offensive weapon, or ammunition, shall order that such firearm, offensive weapon, or ammunition be sold or transferred to the custody of a qualified person in this state.
  - The qualified person must be able to lawfully possess such firearm, offensive weapon, or ammunition in this state.

# State law prohibitions--firearm offensive weapon, ammunition

- If protective order is no longer in effect, the firearm, offensive weapon, or ammunition shall be returned to the person unless the person was convicted of a misdemeanor crime of domestic violence
- A person's rights relating to firearms after conviction may be restored pursuant to Iowa Code § 724.27
  - The person is pardoned by the President of the United States or the governor.
  - The person's civil rights have been restored after a disqualifying conviction, commitment, or adjudication.
  - The person's conviction for a disqualifying offense has been expunged

# Nonprofessional permit to carry weapons

- Initial permit to carry weapons
  - Requires firearms training and training may include:
    - Completion of any national rifle association handgun safety training course
    - Completion of any handgun safety training course available to the general public offered by a law enforcement agency, community college, and other educational institution that uses certified instructors

# Nonprofessional permit to carry weapons

- Completion of small arms training while serving with the armed forces of the United States
  - Completion of any handgun safety training course offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement or security enforcement agency approved by the department of public safety
  - Completion of a law enforcement agency firearm safety training course that qualifies a peace officer to carry a firearm
  - Completion of a hunter education program approved by the natural resource commission pursuant that has a component of handgun safety training
- **Handgun** safety training may be conducted over the internet in a live or web-based format, if completion of the course is verified by the instructor or provider of the course



# Nonprofessional permit to carry weapons

- Renewal of permit to carry weapons
  - No firearm training required
    - Prior law required training upon each renewal
- Changes in residence or name
  - If permit holder changes name or address and remains in the same county no duty to report change
  - If a permit holder changes residences from one county to another county within the state--report change required--DPS required by rule to specify the procedure to transfer the regulation of the holder's permit to another sheriff
  - If you move to another state permit not invalid but must be a resident of the state for permit to be valid

# Nonprofessional permit to carry weapons

- Permit to carry weapons issued in another state
  - A valid permit or license issued in another state is recognized in Iowa but only if the permittee or licensee is not an Iowa resident
  - The Department of Public Safety does not maintain a list of other states that honor or recognize an Iowa permit to carry weapons when carrying in the other state
- Duty to carry permit to carry weapons
  - A person charged with failure to carry the permit while the person is armed with a revolver, pistol, or pocket billy and who produces to the clerk of the district court prior to the date of the person's court appearance proof that the person possesses a valid permit to carry weapons which was valid at the time of the alleged offense, shall not be convicted of a violation
- There is no duty to declare to police you are carrying a dangerous weapon

# Nonprofessional permit to carry weapons

- Permit restrictions

- When intoxicated under conditions set out in 321J.2
- Public and private elementary and secondary schools and grounds
  - Iowa Code § 724.4B
  - Exception peace officer, reserve peace officer, or licensed private investigator when acting in official capacity
- Regents institutions
  - Iowa Admin. Code 681--9.1(2)(g)
  - Weapons permitted on campus for purposes of law enforcement and as authorized for purposes of instruction, research or service.
  - Residents in university housing may possess knives having a blade exceeding five inches for cooking purposes

# Nonprofessional permit to carry weapons

- Permit restrictions continued:
  - State licensed casinos
    - Iowa Admin. Code 491—5.4(6)
  - State fairgrounds
    - Iowa Admin. Code 371—2.5(173)
  - State parks (may possess not use)
    - Iowa Admin Code 571—61.7(5)
  - State game refuge
    - Iowa Code § 481A.7

# Nonprofessional Permit to carry weapons

- Permit restrictions continued:
  - State buildings
    - Iowa Code 8A.322
  - Courthouses
    - Supreme Court Supervisory Order dated June 19, 2017
    - The order does not affect the authority of county or city officials to determine appropriate employment policies for their employees in county and city offices in courthouses and other justice centers. This order also does not affect the authority of peace officers to carry weapons in courthouses and justice centers

# Permit to carry weapons

- Possession of a dangerous weapon while intoxicated under conditions provided in Iowa Code § 321J.2 is a serious misdemeanor under the following circumstances (permit does not save you):
  - Carries a dangerous weapon on or about the person
  - Carries a dangerous weapon within the person's immediate access or reach while in a vehicle
    - Does not apply to a person who carries or possesses a dangerous weapon while in the person's own property or place of business
    - Does not apply to the transitory possession or use of a dangerous weapon during an act of justified self-defense or justified defense of another that lasts no longer than necessary

# Permit to carry weapons

- Possession of pistol or revolver in Capitol building and on Capitol grounds (Iowa Code § 8A.322)
  - Must have valid permit to carry weapons
  - Required to conceal carry pistol or revolver
  - Prohibited from possessing or bringing other dangerous weapons into the Capitol or onto the Capitol grounds (no long guns or knives)
- Possession of pistol or revolver on snowmobile or ATV (Iowa Code § 321G.13 or 321I.14)
  - May possess without a permit on own property
  - May possess on unincorporated property without a permit if not concealed
  - May possess on land not owned or possessed as long as conduct is otherwise lawful--permit required within city limits
    - Prior law required permit to carry weapons when not on own property and the pistol or revolver be secured in a retention holster.

# Denial, suspension, or revocation of nonprofessional permit

- Upon denial, suspension, or revocation the county sheriff or Commissioner of DPS shall provide a written statement stating the reasons for denial, suspension, or revocation
  - An issuing officer who finds that a person issued a permit to carry weapons has been arrested for a disqualifying offense or is the subject of proceedings that could lead to the person's ineligibility for such permit may immediately suspend such permit
- Applicant or permit holder may appeal to an administrative law judge
  - 30 days to appeal, ALJ has 45 days to decide



# Denial, suspension, or revocation of nonprofessional permit

- If it is determined the applicant or permit holder is eligible to be issued or possess a permit on appeal, the applicant or permit holder shall be awarded court costs and reasonable attorney fees or if decision is upheld on appeal, the political subdivision of the state representing the sheriff or the commissioner shall be awarded court costs and reasonable attorney fees
  - New provision in HF 517 (2017)

# Confidentiality of records

- The Commissioner of Public Safety and any issuing officer shall keep confidential personally identifiable information of holders of professional or nonprofessional permits to carry weapons and permits to acquire pistols or revolvers
  - New provision in HF 517 (2017)

# Confidentiality--exceptions

- Release of statistical information
- Release of information to a criminal or juvenile justice agency for the performance of any lawfully authorized duty or for conducting a lawfully authorized background investigation.
- Release of information to an employer who requires an employee or an agent of the employer to possess a professional permit to carry weapons
- Release of any confidential information under any other circumstance shall require a court order
- Release through consent of the subject of the information request

# Carrying weapons

- Permit required:
  - A person who goes armed with a dangerous weapon concealed on or about the person
    - No permit required if not concealed in unincorporated area
  - A person who, within the limits of any city, goes armed with a pistol or revolver, or any loaded firearm of any kind, whether concealed or not
  - A person who knowingly carries or transports in a vehicle a pistol or revolver
    - Not applicable if posses a valid permit to carry or fall under an exception to carrying weapons violation
- Criminal offense of carrying weapons--aggravated misdemeanor

# Carrying weapons--exceptions

- The following persons are not required to carry a permit
  - A person in the person's own dwelling or place of business, or on land owned or possessed by the person
  - A peace officer, when the officer's duties require the person to carry such weapons (professional permit)
  - A member of the armed forces of the United States or of the national guard or person in the service of the United States, when the weapons are carried in connection with the person's duties
  - A correctional officer, when the officer's duties require the person to carry

# Carrying weapons--exceptions

- A person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person
- A person who for any lawful purpose carries or transports an unloaded pistol or revolver in a vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier

# Carrying weapons--exceptions

- A person while the person is lawfully engaged in target practice on a range designed for that purpose or while actually engaged in lawful hunting
- A person who has in the person's possession and who displays to a peace officer on demand a valid permit to carry weapons which has been issued to the person, and whose conduct is within the limits of that permit
- A law enforcement officer from another state when the officer's duties require the officer to carry the weapon and the officer is in this state
- A person engaged in the business of transporting prisoners under a contract with the Iowa Department of Corrections or a county sheriff

# Knives

- Knives
  - A person who goes armed with a knife concealed on or about the person, if the person uses the knife in the commission of a crime, commits an aggravated misdemeanor
  - A person who goes armed with a knife concealed on or about the person, if the person does not use the knife in the commission of a crime:
    - If the knife has a blade exceeding eight inches in length, commits an aggravated misdemeanor.
    - If the knife has a blade exceeding five inches but not exceeding eight inches in length, commits a serious misdemeanor



# Knives

- Are you able to open carry a knife with blade exceeding 5 inches in a city?
  - Yes, no permit required
- Are you able to conceal carry a knife with blade exceeding 5 inches in unincorporated area?
  - Yes, with a permit to carry weapons or if hunting

# Knives

- Knife less than or equal to five inches in length may be concealed unless used in a crime—does not meet the definition of dangerous weapon
- A person who carries a knife used in hunting or fishing, while actually engaged in lawful hunting or fishing does not commit the crime of carrying weapons
- Felon not prohibited from carrying a knife

# Long guns

- Long guns
  - If a long gun is concealed then permit is required everywhere unless actively hunting
  - May possess in unincorporated areas loaded but not concealed without a permit
  - May possess on own property or place of business loaded without a permit
  - May open carry long gun in city if unloaded without a permit
  - Felon prohibited from possessing anywhere

# Pistols or revolvers

- Possession in the home or place of business without a permit to carry weapons
  - A person may go armed in the person's own dwelling or place of business, or on land owned or possessed by the person, including if the person is intoxicated.
  - A felon is prohibited from possessing a pistol or revolver at anytime even in the person's own dwelling, place of business, or land owned or possessed by the felon.

# Pistol or revolver

- Possession of a pistol or revolver in a vehicle without a permit to carry weapons
  - A person may possess a pistol or revolver in a vehicle if the person possesses the pistol or revolver for any lawful purpose by carrying or transporting unloaded pistol or revolver in a vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier.

# Pistol or revolver

- Possession of pistol or revolver within city limits without a permit to carry weapons
  - Not permissible unless the person who for any lawful purpose carries an unloaded pistol or revolver inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person.
- Possession of pistol or revolver in unincorporated areas without a permit to carry weapons
  - Permissible if the weapon is not concealed. If the weapon is concealed then a permit to carry weapons is required.

# Possession by young person

- Possession under 21 years of age
  - A person who sells, loans, gives, or makes available a rifle or shotgun or ammunition for a rifle or shotgun to a minor commits a serious misdemeanor for a first offense and a class “D” felony for second and subsequent offenses
    - A parent, guardian, spouse who is 18 years of age or older, or another with the express consent of the minor’s parent or guardian or spouse who is 18 years of age or older may allow a minor to possess a rifle or shotgun or the ammunition therefor which may be lawfully used

# Possession by young person

- A person who sells, loans, gives, or makes available a pistol or revolver or ammunition for a pistol or revolver to a person below the age of twenty-one commits a serious misdemeanor for a first offense and a class “D” felony for second and subsequent offenses
  - A person eighteen, nineteen, or twenty years of age may possess a firearm and the ammunition therefor while on military duty or while a peace officer, security guard or correctional officer, when such duty requires the possession of such a weapon or while the person receives instruction in the proper use thereof from an instructor who is twenty-one years of age or older



# Possession by young person

- A parent or guardian or spouse who is twenty-one years of age or older, of a person under the age of twenty-one may allow the person, while under direct supervision, to possess a pistol or revolver or the ammunition therefor for any lawful purpose, or while the person receives instruction in the proper use thereof from an instructor twenty-one years of age or older, with the consent of such parent, guardian or spouse
  - “Direct supervision” means supervision provided by the parent, guardian, spouse, or instructor who is twenty-one years of age or older, who maintains a physical presence near the supervised person conducive to hands-on instruction, who maintains visual and verbal contact at all times with the supervised person, and who is not intoxicated as provided under the conditions set out in section 321J.2
  - Previous law-prohibition under 14 yr/supervision 15-20 yr

# Permit to acquire pistols or revolvers

- Must obtain a permit to acquire prior to purchasing a pistol or revolver
  - Background check
  - No permit required to purchase a long gun
- Persons under 21 years of age prohibited from obtaining permit to acquire
- A person who is prohibited by federal law from shipping, transporting, possessing, or receiving a firearm
- A person convicted of a felony, who is subject to a protective order, or who has a serious misdemeanor domestic abuse conviction is prohibited from obtaining a permit to acquire
- Permit to acquire is for five years
  - Prior law—permit to acquire was for one year

# Permit to acquire pistols or revolvers

- A person is not required to obtain a permit to acquire under the following circumstances:
  - The person transferring the pistol or revolver and the person acquiring the pistol or revolver are licensed firearms dealers under federal law
  - The pistol or revolver acquired is an antique firearm, a collector's item, a device which is not designed or redesigned for use as a weapon
  - The person acquiring the pistol or revolver is authorized to do so on behalf of a law enforcement agency
  - The person has obtained a valid permit to carry weapons
  - The person transferring the pistol or revolver and the person acquiring the pistol or revolver are related to one another within the second degree of consanguinity or affinity unless the person transferring the pistol or revolver knows that the person acquiring is disqualified from obtaining a permit

# Denial, suspension, or revocation of permit to acquire

- Identical process as permit to carry weapons process
- Upon denial, suspension, or revocation the county sheriff or Commissioner of DPS shall provide a written statement stating the reasons for denial, suspension, or revocation
- Applicant or permit holder may appeal to an administrative law judge
- If it is determined the applicant or permit holder is eligible to be issued or possess a permit on appeal, the applicant or permit holder shall be awarded court costs and reasonable attorney fees or if decision is upheld on appeal, the political subdivision of the state representing the sheriff or the commissioner shall be awarded court costs and reasonable attorney fees

# Preemption

- A political subdivision shall not enact an ordinance regulating firearms when the ownership or possession is otherwise lawful under the laws of this state
  - Attorney General’s Opinion No 03-04-1 states that this provision does not bar a municipality from prohibiting firearms in buildings operated by the municipality
  - Non-firearm dangerous weapons may be regulated by local authorities
- If a political subdivision of the state, prior to, on, or after July 1, 2017, enacts an ordinance regulating the ownership or possession of a firearm when the ownership or possession is otherwise lawful under the laws of this state, a person adversely affected may file suit in the appropriate court for declaratory and injunctive relief for damages
  - New provision during 2017 legislative session
- Regulation of firearms by private property owners not prohibited by statute or rule

# Weapons free zone

- Weapons free zones, Iowa Code § 724.4A
  - A weapons free zone is the area in or on, or within 1,000 feet of, the real property comprising a public or private elementary or secondary school, or in or on the real property comprising a public park.
    - A weapons free zone shall not include that portion of a public park designated as a hunting area under Iowa § 461A.42.
  - A person who commits a public offense involving a firearm or offensive weapon, within a weapons free zone, is subject to a fine of twice the maximum amount which may otherwise be imposed

# Fraudulent purchase of firearms or ammunition

- A person who knowingly solicits, persuades, encourages, or entices a licensed firearms dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances that the person knows would violate the laws of this state or of the United States commits a class “D” felony
- A person who knowingly provides materially false information to a licensed firearms dealer or private seller of firearms or ammunition with the intent to deceive the firearms dealer or seller about the legality of a transfer of a firearm or ammunition commits a class “D” felony
- New provision HF 517 (2017)